

1 BEFORE THE LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD  
2 IN THE MATTER OF THE RENO POLICE  
3 PROTECTIVE ASSOCIATION (RPPA)  
4 COMPLAINT REGARDING THE REFUSAL  
5 OF THE CITY OF RENO TO PERMIT A  
6 NON-POLICE OFFICER TO REPRESENT  
7 LOCAL GOVERNMENT POLICE EMPLOYEES.

8 D E C I S I O N

9 There being no evidence presented by either party at the  
10 Hearing on March 17, 1972, the Board has reviewed briefs submitted  
11 subsequently by the petitioner and respondent, and having jurisdic-  
12 tion over the matter pursuant to NRS 288, hereby enters its  
13 decision as follows:

14 I.

15 NRS 288.140(3) clearly shows the intent of the legislature to  
16 separate law enforcement officers from other public employees.  
17 The Board has not tried to ascertain why the legislature made  
18 separation of law enforcement officers a part of the Local Govern-  
19 ment Employee-Management Relations Act. To permit a loose  
20 interpretation of the intent for separation, would, in the Board's  
21 opinion, eventually lead to the term "representative" (versus mem-  
22 ber) being used to accommodate the views of non-police in the  
23 employee-employer relationships of law enforcement officers; this,  
24 the Board has concluded, would be contrary to the intent of the  
25 legislature.

26 NRS 288.150 provides, in part, that "It is the duty of every  
27 local government employer, ....., to negotiate in good faith  
28 through a representative or representatives of its own choosing..."  
29 (emphasis added), and, even though there is no explicit reference  
30 in Chapter 288 to similar rights available to employee organiza-  
31 tions, the Board would expect the right to choose representatives  
32 to extend to local government employees--with one exception: those  
government employees purposely and especially isolated by the

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1 legislature when that body devised subsection 3 of NRS 288.140.

2 FINDINGS OF FACT

3 1. Chapter 288.140(3) very distinctly separates law enforce-  
4 ment officers from other local government employees.

5 2. Although the terms member and representative in classic  
6 definition are quite different, in practice in local government  
7 employee organizations, their self-interest appears to be closely  
8 allied rather than clearly separated.

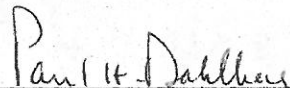
9 CONCLUSIONS OF LAW

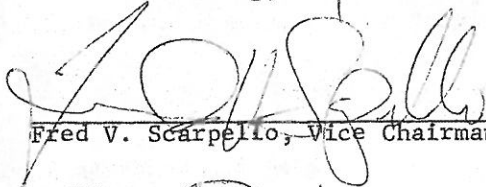
10 1. The legislature's specific directive for separation of  
11 law enforcement officers from other local government employee  
12 organizations requires a strict interpretation to meet the spirit  
13 and intent of NRS 288.140(3).

14 2. Anyone who represents a local government law enforcement  
15 employees organization in negotiation or grievance determinations  
16 must be a law enforcement officer.

17 DATED this 30th day of March, 1972.

18  
19 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT RELATIONS BOARD.

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21   
22 Paul H. Dahlberg, Chairman

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24   
25 Fred V. Scarpello, Vice Chairman

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28 Dennis Pletzke, Member  
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